

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AARON LAUBACH,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-05-1294-F
)	
JOSEPH SCIBANA, et al.,)	
)	
Defendants.)	

ORDER

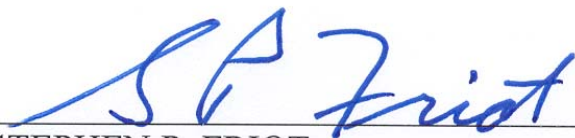
Plaintiff, a federal prisoner appearing *pro se* whose pleadings are liberally construed, brings this action pursuant to 28 U.S.C. § 1331 and Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971), alleging violations of his constitutional rights. On December 27, 2007, Magistrate Judge Valerie K. Couch issued her Report and Recommendation (doc. no. 228), recommending that the motions to dismiss of the Scibana Defendants as supplemented (doc. nos. 91/214), Defendant Molskness as supplemented (doc. nos. 148/197), and Defendant Engle (doc. no. 118), be granted. The Report recommended a determination that all claims asserted in plaintiff's Complaint are either time-barred or subject to dismissal without prejudice for failure to exhaust administrative remedies. The Report recommended that all claims against the unresponsive Defendants (Jordan, McNerney, Luche, Molina, Feltz, Fowner, McCorkall, Jones, Maize, and Peterson) and unserved Defendants (Castro and Lee) be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(b)(ii) and 42 U.S.C. § 1997e(c)(1). The Report further recommended that Plaintiff's motions for entry of default judgment (doc. nos. 188, 224) and motions for injunctive relief (doc. nos. 211, 216) be denied.

On January 7, 2008, plaintiff filed a “Motion for Reconsideration” (doc. no. 229), which is construed as an objection to all matters covered in Magistrate Judge Couch’s Report and Recommendation. Accordingly, the court has reviewed all matters covered in the Report *de novo*.

Having concluded that review, and after careful consideration of plaintiff’s objections, the record, and the relevant authorities, the court finds that it agrees with the Report of the magistrate judge and that no purpose would be served by stating any further analysis here.

Accordingly, the Report and Recommendation of Magistrate Judge Couch is **ACCEPTED, ADOPTED, and AFFIRMED** in its entirety. The motions to dismiss of the Scibana Defendants as supplemented (doc. nos. 91/214), Defendant Molskness as supplemented (doc. nos. 148/197), and Defendant Engle (doc. no. 118) are **GRANTED**. The court finds and concludes that all claims asserted in plaintiff’s Complaint are either time-barred or subject to dismissal without prejudice for failure to exhaust administrative remedies. All claims against the unresponsive Defendants (Jordan, McNerney, Luche, Molina, Feltz, Fowner, McCorkall, Jones, Maize, and Peterson) and unserved Defendants (Castro and Lee) are **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(b)(ii) and 42 U.S.C. § 1997e(c)(1). Finally, plaintiff’s motions for entry of default judgment (doc. nos. 188, 224) and motions for injunctive relief (doc. nos. 211, 216) are **DENIED**.

Dated this 31st day of January, 2008.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE